

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Services – I & CAD Department - Certain Irregularities committed by the Engineering Officials in the works relating to Improvements to Reservoir across Enumuleru near Mundlapadu village, Giddaluru mandal, Prakasam district - Disciplinary proceedings initiated – Awarded a Penalty of 5% cut in pension for a period of (5) years imposed on Sri M. Subba Rao, Assistant Engineer (Retd.) – O.A.No.4742/2009 filed in the Hon'ble APAT - Judgment pronounced – Implementation – Orders – Issued.

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IRRIGATION & CAD (SER.X.2) DEPARTMENT

G.O.Rt.No.1150

Dt:17.11.2011.

Read the following:

- (1) G.O.Rt.No.967, I & CAD (CAD.Ser.II) Department, dt. 7.8.2003
- (2) From Sri D. Bhaskara Rao, Member, COI Lr.No. COI-M(DBR) /I & CAD/ 97 / 2003, dt. 27.01.2004
- (3) Govt.Memo.No. 2419/CAD.Ser.II-2/94-81, dt. 24.2.2005
- (4) From Sri M. Subba Rao, AE (Retd) repn, dt. 9.5.2005
- (5) Govt.Memo.No.2419/Ser.X.2/94-86, dt. 12.1.2006
- (6) From Sri M. Subba Rao, AE(Retd) repn. Dt. 8.4.2006
- (7) Govt.Letter No.2419/ser.X.2/1994-94, dt. 24.10.2006.
- (8) From the Secretary, APPSC Lr.No.1253/RT-1/3/2006, dt. 26.12.2006.
- (9) G.O.Ms.No.12, I & CAD(Ser.X.2) Dept., dt. 22.01.2007.
- (10) Govt. Memo.No. 7019/Ser.X-2/2009-1, dt. 6-4-2009.
- (11) Orders of the Hon'ble APAT, dt. 08.09.2011 in O.A.No.4742 of 2009 filed by Sri M. Subba Rao, AE(Retd.)

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O R D E R :

In the reference 1st read above, Govt. issued orders appointing Sri D. Bhaskara Rao, Member, COI, GA Department as Inquiry Officer to conduct departmental inquiry into the irregularities committed by Sri M. Subba Rao, Assistant Engineer along with others in respect of works relating to "improvements to Reservoir across Enumuleru near Mudlapadu village, Giddaluru mandal, Prakasam district. The Inquiry Officer has conducted the inquiry and submitted report in the reference 2nd read above.

Govt. after careful examination of the Inquiry report with the representation of the Charged Officers, orders were issued imposing a penalty of 5% cut in pension for a period of (5) years on Sri M. Subba Rao, Assistant Engineer (Retd.) vide reference 9th read above, for the said irregularities, duly following the established procedure .

Aggrieved by the above punishment orders, Sri M.Subbarao , Assistant Engineer(Retd), approached the Hon'ble APAT and filed O.A.No. 4742/2009, praying the Hon'ble Tribunal to set aside the punishment orders issued against him for the reasons mentioned the petitioner affidavit .

In the reference 10th read above , Government have directed the Engineer-In-Chief (Admn. Wing) to file Counter affidavit on the said O.A. on behalf of the 1st respondent i.e. Government also. The Executive Engineer –II (Vig) O/o the Engineer-In-Chief (Admn.Wing) Hyderabad has filed counter affidavit on behalf of the respondents.

In the reference 11th read above , the Hon'ble APAT has pronounced the judgment on 8.09.2011 in O.A.No.4742/2009, the operational portion of the judgment is extracted below:

“ the O.A., is liable to be allowed and the impugned order in G.O.Ms.No. 12, dated 22.1.2007 issued by the 1st respondent imposing 5% cut in pension for a period of 5 years against the applicant is liable to be set aside and it is accordingly set aside and the respondents are directed to release the full pension of the applicant within a period of 6 weeks from the date of receipt of a copy of this order”.

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Government after careful examination of the matter, has decided and hereby by order to implement the orders of the Hon'ble APAT in O.A.No. 4742/2009 filed by Sri M. Subba Rao, Assistant Engineer (Retd.) and to release full pension to Sri M. Subba Rao, Assistant Engineer (Retd.).

The Engineer-In-Chief (Admn.Wing) I & CAD Department, Hyderabad, shall take necessary action accordingly .

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHAILENDRA KUMAR JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer-In-Chief (Admn. Wing)
I & CAD Department, Hyderabad.
The individual **through**
the Engineer-In-Chief (Admn. Wing)
I & CAD Department, Hyderabad
The Accountant General, Andhra Pradesh, Hyderabad
The Secretary to Vigilance Commissioner,
APVC, Hyderabad.
SC/SF

//FORWARDED: : BY ORDER//

SECTION OFFICER